

HOUSE BILL No. 1804

DIGEST OF INTRODUCED BILL

Citations Affected: IC 3-11-2-10.

Synopsis: Various election law matters. Revises the instruction to voters who vote a straight party ticket and vote for candidates not on the straight party ticket. Requires the PERF board of trustees to take all action necessary to modify the state's agreement with the Social Security Administration to exclude the services of election workers paid less than the threshold amount mandated by the Social Security Act.

Effective: Upon passage; July 1, 2007.

Pierce, Richardson

January 26, 2007, read first time and referred to Committee on Elections and Apportionment.

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Introduced

First Regular Session 115th General Assembly (2007)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2006 Regular Session of the General Assembly.

HOUSE BILL No. 1804

A BILL FOR AN ACT to amend the Indiana Code concerning elections.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 3-11-2-10, AS AMENDED BY P.L.58-2005,
2 SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2007]: Sec. 10. (a) The name or title of the political party or
4 independent ticket described in section 6 of this chapter shall be placed
5 at the top of the ballot. The device of the political party or independent
6 ticket shall be placed immediately under the name of the political party
7 or independent ticket. The instructions for voting a straight party ticket
8 shall be placed to the right of the device.

9 (b) The instructions for voting a straight party ticket must conform
10 as nearly as possible to the following: "To vote a straight (insert
11 political party name) ticket for all (political party name) candidates on
12 this ballot, make a voting mark on or in this circle and do not make any
13 other marks on this ballot, **unless you want to vote for any candidates**
14 **of a political party other than the (political party name). If you**
15 **want to vote for candidates for offices other than candidates of the**
16 **(political party name) party, you must:**

17 **(1) make a voting mark on or in the square to the left of that**

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candidate's name; or

(2) write in the name of the candidate on the ballot where write-in votes may be cast and make a voting mark on or in the square to the left of the candidate's name you write in.

If more than one (1) candidate is to be elected to an office, you must also make a voting mark on or in the square to the left of the names of the candidates of the (political party name) party for whom you want to vote for that office in addition to the names of the candidates you want to vote for who are not (political party name) candidates. **DO NOT VOTE FOR MORE CANDIDATES FOR AN OFFICE THAN ARE TO BE ELECTED; IF YOU DO, THE VOTES FOR THE (POLITICAL PARTY NAME) CANDIDATES FOR THAT OFFICE WILL NOT BE COUNTED AND IT IS POSSIBLE THAT ALL THE VOTES YOU CAST FOR CANDIDATES FOR THE OFFICE WILL NOT BE COUNTED.**

If you wish to vote for a candidate seeking a nonpartisan office or on a public question, you must make another voting mark on the appropriate place on this ballot."

(c) If the ballot contains an independent ticket described in section 6 of this chapter and at least one (1) other independent candidate, the ballot must also contain a statement that reads substantially as follows: "A vote cast for an independent ticket will only be counted for the candidates for President and Vice President or governor and lieutenant governor comprising that independent ticket. This vote will NOT be counted for any OTHER independent candidate appearing on the ballot."

(d) The ballot must also contain a statement that reads substantially as follows: "A write-in vote will NOT be counted unless the vote is for a DECLARED write-in candidate. To vote for a write-in candidate, you must make a voting mark on or in the square to the left of the name you have written in or your vote will not be counted."

(e) The list of candidates of the political party shall be placed immediately under the instructions for voting a straight party ticket. The names of the candidates shall be placed three-fourths (3/4) of an inch apart from center to center of the name. The name of each candidate must have, immediately on its left, a square three-eighths (3/8) of an inch on each side.

(f) The election division or the circuit court clerk may authorize the printing of ballots containing a ballot variation code to ensure that the proper version of a ballot is used within a precinct.

SECTION 2. [EFFECTIVE UPON PASSAGE] (a) Before January 1, 2008, the board of trustees of the public employees' retirement

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1 **fund shall take all action necessary to modify the state's agreement**
2 **under Section 218 of the federal Social Security Act to exclude the**
3 **services of election workers paid less than the threshold amount**
4 **mandated by the federal Social Security Act.**

5 **(b) This SECTION expires July 1, 2008.**

6 **SECTION 3. An emergency is declared for this act.**

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